

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**CORRECTED  
FISCAL NOTE**

**HB 546 - SB 846**

March 6, 2013

**SUMMARY OF BILL:** Defines electronic citation. Requires recipients of electronic citations to be provided a paper copy of the citation. Requires each court clerk with an existing automated citation system to charge and collect an electronic citation fee of five dollars. Requires one dollar of the fee be retained by the court clerk to defray expenses related to the establishment and maintenance of an automated citation database. Requires four dollars of such fee to be transmitted monthly to the law enforcement agency issuing the citation.

**ESTIMATED FISCAL IMPACT:**

On March 4, a fiscal note was issue indicating the following fiscal impact:

*Increase State Revenue – \$320,000*

*Increase Local Revenue – Exceeds \$330,000*

Due to incomplete information, the estimated impact was in error. Based on additional information provided by local governments and the Department of Safety, the impact is as follows.

**(CORRECTED)**

**Increase State Revenue – Exceeds \$80,000**

**Increase Local Revenue – Exceeds \$270,000**


Assumptions:

- The Department of Safety (DOS) uses the Tennessee Integrated Traffic Analysis Network (TITAN) electronic citation program.
- According to DOS, there are approximately 200,000 citations issued by the state annually.
- DOS indicates a conviction rate of approximately 40 percent.
- At least 25 percent of county clerks utilize an electronic citation system for DOS-issued citations and will charge a fee for these citations.
- A minimum of 20,000 citations issued by DOS (200,000 x 40% x 25%) will be charged the \$5.00 fee.

- Four dollars of the fee will be allocated to the state. A recurring increase in state revenue estimated to exceed \$80,000 (20,000 citations x \$4.00).
- One dollar of the fee will be allocated to the local clerk's office. A recurring increase in local revenue estimated to exceed \$20,000 (20,000 citations x \$1.00).
- The precise number of local government-issued citations that this fee will apply to cannot be determined, but the number is reasonably estimated to exceed 50,000 per year statewide.
- The recurring increase in local revenue for county clerks from one dollar of the fee is reasonably estimated to exceed \$50,000 (50,000 x \$1.00).
- The recurring increase in local revenue for local law enforcement agencies from four dollars of the fee is reasonably estimated to exceed \$200,000 (50,000 x \$4.00).
- The total recurring increase in local government revenue as a result of the bill is estimated to exceed \$270,000 (\$20,000 + \$50,000 + \$200,000).
- This bill does not explicitly require the state or any local government entity to develop or establish an electronic citation system. The bill only authorizes entities currently having an electronic citation system to charge the stated fees. Some local governments may elect to develop or establish an electronic citation system in the future, subjecting themselves to permissive increases in expenditures. However, any such permissive expenditures are assumed to occur in the absence of this bill. As a result, and for the purposes of this fiscal note, no expenditures have been included for the establishment or development of new systems.
- Any increase in state or local government expenditures for transmission of electronic citations to the court having jurisdiction over the alleged offense, or for providing persons issued an electronic citation a paper copy of the citation, is estimated to be not significant.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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